

SENATE MOTION

MADAM PRESIDENT:

I move that Engrossed House Bill 1099 be amended to read as follows:

- 1 Page 5, between lines 2 and 3, begin a new paragraph and insert:
- 2 **""Municipality" has the meaning set forth in IC 36-1-2-11."**
- 3 Page 12, line 28, delete "11" and insert **"12"**.
- 4 Page 14, between lines 33 and 34, begin a new paragraph and insert:
- 5 **"SECTION 12. IC 22-11-14-11 IS ADDED TO THE INDIANA**
- 6 **CODE AS A NEW SECTION TO READ AS FOLLOWS**
- 7 **[EFFECTIVE UPON PASSAGE]: Sec. 11. (a) Notwithstanding any**
- 8 **other provision of this chapter, a:**
- 9 **(1) county or municipality may adopt an ordinance; or**
- 10 **(2) township may adopt a resolution;**
- 11 **concerning the sale, possession, or use of fireworks.**
- 12 **(b) An ordinance or a resolution adopted under this section:**
- 13 **(1) may limit or prohibit the sale, possession, or use of**
- 14 **fireworks in the county, municipality, or township; and**
- 15 **(2) may not be more lenient than a rule adopted by a state**
- 16 **agency concerning the sale, possession, or use of fireworks."**
- 17 Page 14, line 34, delete "IC 22-11-14-11" and insert
- 18 **"IC 22-11-14-12"**.
- 19 Page 14, line 36, delete "11." and insert **"12."**
- 20 Page 15, line 7, delete "and in" and insert **"."**
- 21 Page 15, line 8, delete "section 13 of this chapter."
- 22 Page 15, line 9, delete "IC 22-11-14-12" and insert **"IC**
- 23 **22-11-14-13"**.
- 24 Page 15, line 11, delete "12." and insert **"13."**
- 25 Page 15, line 36, delete "11" and insert **"12(b)"**.
- 26 Page 17, line 16, delete "IC 22-11-14-11," and insert
- 27 **"IC 22-11-14-12,"**.
- 28 Page 17, between lines 22 and 23, begin a new paragraph and insert:
- 29 **"SECTION 21. [EFFECTIVE UPON PASSAGE] (a)**
- 30 **Notwithstanding IC 22-11-14-2(a) and IC 22-11-14-8(d), both as**

1 amended by this act, and IC 22-11-14-3.5 and IC 22-11-14-15, both
 2 as added by this act, the fire safety and building commission shall
 3 carry out the duties imposed upon it by this act with respect to the
 4 matters referred to in IC 22-11-14-2(a) and IC 22-11-14-8(d), both
 5 as amended by this act, and IC 22-11-14-3.5 and IC 22-11-14-15,
 6 both as added by this act, under interim written guidelines
 7 approved by the state fire marshal.

8 (b) This SECTION expires on the earlier of the following:

9 (1) The date rules are adopted under IC 22-11-14-2(a) and
 10 IC 22-11-14-8(d), both as amended by this act, and
 11 IC 22-11-14-3.5 and IC 22-11-14-15, both as added by this
 12 act.

13 (2) December 31, 2007.

14 SECTION 22. [EFFECTIVE UPON PASSAGE] (a)
 15 Notwithstanding IC 22-11-14-12(d) and IC 22-11-14-15, both as
 16 added by this act, the department of state revenue shall carry out
 17 the duties imposed upon it by this act with respect to the matters
 18 referred to in IC 22-11-14-12(d) and IC 22-11-14-15, both as
 19 added by this act, under interim written guidelines approved by
 20 the commissioner of the department of state revenue.

21 (b) This SECTION expires on the earlier of the following:

22 (1) The date rules are adopted under IC 22-11-14-12(d) and
 23 IC 22-11-14-15, both as added by this act.

24 (2) December 31, 2007."

25 Renumber all SECTIONS consecutively.

(Reference is to EHB 1099 as printed February 24, 2006.)

Senator ZAKAS